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Department, Stephen C. Wells, Mike Peel,
8 and Frank Bekker

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 NICHOLAS B. DELIA,
12 Plaintiff,

13 v.

14 CITY OF RIALTO, a Public Entity;
15 CITY OF RIALTO FIRE
DEPARTMENT, a Public Agency;
16 STEPHEN C. WELLS, Individually
and as the Fire Chief for the City of
17 Rialto; MIKE PEEL, Individually
and as a Battalion Chief for the City
18 of Rialto; FRANK BEKKER,
Individually and as a Battalion Chief
19 for the City of Rialto; STEVE A.
FILARSKY, Individually and as
20 Internal Affairs Investigator for the
City of Rialto; and DOES 1
21 THROUGH 10 INCLUSIVE,

22 Defendants.

Case No. CV 08-03359 R (PLAx)
JUDGMENT

JUDGMENT

This matter came on regularly for hearing on February 2, 2009, at 10:00 a.m. in Courtroom 8 of the above-entitled Court, the Honorable Judge Manuel L. Real presiding. Defendants and moving parties the City of Rialto, Stephen Wells, Mike Peel and Frank Bekker appeared by their attorneys of record Best Best & Krieger LLP by Howard B. Golds. Defendant Steve Filarsky appeared by his attorneys of record Gilbert, Kelly, Crowley & Jennett, LLP by Jon H. Tisdale. Plaintiff Nicholas B. Delia appeared by his attorneys of record Lackie, Dammeier & McGill by Sanjay Bansal.

The Court, having considered the Motion for Summary Judgment or Alternatively, Partial Summary Judgment brought by Defendants City of Rialto, Stephen Wells, Mike Peel and Frank Bekker and the Motion for Summary Judgment or Alternatively, Partial Summary Judgment brought by defendant Steve Filarsky, rules as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Judgment in the above-captioned matter be, and hereby is, entered in favor of Defendants City of Rialto, Stephen Wells, Mike Peel, Frank Bekker and Steve Filarsky ("Defendants") and that plaintiff Nicholas Delia shall take nothing by way of his Complaint.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall recover their costs of suit herein.

Dated: March_9, 2009



UNITED STATES DISTRICT COURT
JUDGE